

CHAPTER 183

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

[Approved by Governor May 8, 1947 Filed with Secretary of State
May 8, 1947]

In effect
September
19, 1947

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of National City in the County of San Diego, State of California, all of those certain tide and submerged lands of San Diego Bay, whether filled or unfilled, lying and being in the County of San Diego, State of California, and more particularly described as follows:

Beginning at a point on the southerly boundary of the City of National City, at the intersection of the said boundary with

City of
National
City Grant
of tidelands,
etc

Description

the ordinary high water mark of San Diego Bay as said point of intersection is delineated on Miscellaneous Map No. 185, Records of San Diego County, and running thence along the said ordinary high water mark, as delineated on said Miscellaneous Map No. 185, S. 31 degrees 10 minutes E., 26.84 feet, N. 77 degrees 20 minutes E., 251.04 feet, S. 41 degrees 01 minutes 29 seconds E., 493.67 feet, S. 40 degrees 52 minutes E., 261.31 feet, S. 26 degrees 56 minutes E., 695.43 feet and S. 9 degrees 46 minutes W., 266.97 feet; thence out into San Diego Bay S. 71 degrees 43 minutes 29 seconds W., 2,636.31 feet to an intersection with a straight line joining United States Harbor Line Stations for San Diego Bay Nos. 303 and 495; thence along the said line joining Stations 303 and 495 N. 8 degrees 02 minutes 19 seconds W., 1,697.97 feet to the extension westerly of the southerly boundary of the City of National City; thence along the extension of said southerly boundary N. 71 degrees 44 minutes 34 seconds E., 1,808.18 feet to the place of beginning.

Conditions
of trust

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

Limitations

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

Lease of
wharves, etc

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessee as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed.

Lease of
lands

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of

National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent.

SEC. 6. There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes. Reservations
Fishing
rights

SEC. 7. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land. Mineral, etc
rights

SEC. 8. The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest. Highway
rights